

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Zengpin YU, Danhua ZHAO, Thomas P. NEFF, Wei ZHANG and Shih-Ping WANG

Serial No.: 10/560,200

Date Filed: June 18, 2004

Int'l Appl'n Filing Date: 18 June 2004

For: FULL-FIELD BREAST ULTRASOUND SYSTEM AND ARCHITECTURE

This correspondence is being filed electronically with the U.S. Patent and Trademark Office via EFS-Web.



April 16, 2010

Ivan S. Kavrukov  
Reg. No. 25,161

Date

30 Rockefeller Center, 20<sup>th</sup> Floor  
New York, New York 10112  
TEL: (212) 278-0400

Attn: PCT Legal Staff  
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

***Renewed  
Petition to Withdraw Holding of Abandonment  
Based on Failure to Receive Office Action  
Pursuant to MPEP 711.03(c)(I)(A)***

A Decision on Petition Under 37 CFR 1.181 issued (copy attached as Exhibit A) denying applicants' petition without prejudice.

The Decision states that items 1 and 3 of the required showing have been satisfied but items 2 and 4 have not been satisfied.

Regarding **item 2**, the Office requests a clarification of when the address of the firm changed. The address changed on November 24, 2008 (Exhibit B) when the firm moved from 1185 Avenue of the Americas, New York, New York 10036 to 30 Rockefeller Plaza, 20<sup>th</sup> Floor, New York, New York 10112. The name of the firm and its telephone and fax numbers did not change. The firm had moved to its previous address in about 1994.

Regarding **item 4**, the Office requests the master docket report for the firm for 24

Applicants: YU et al.  
Int'l Appl'n No.: PCT/US2004/019488  
Int'l Appl'n Filing Date: 18 June 2004  
U.S. Application No. 10/560,200

Dkt: 2692/72616-PCT-US

Page 2

May 2006. Attached is a printout of that report (Exhibit C) showing no entry for the subject patent application. The report identifies patent applications by their docket numbers. The docket number for the subject application is 72616-PCT-US, as noted under the notation "ATTY. DOCKET NO." in the Notification of Abandonment mailed by the Office on 11/26/2007 (Exhibit D). Also attached are the master docket reports for the preceding and succeeding dates (Exhibits E & F), which also contain no entry for the subject application.

Applicants respectfully request withdrawal of the holding of abandonment resulting from non-receipt of Office Actions, pursuant to MPEP 711.03c(c)(1)(A), based on the supplemental information provided herewith

Please charge our Deposit Account No. 03-3125 for any fees that may be required in connection with this Petition.

Respectfully submitted,



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Ivan S. Kavrukov, Reg. No. 25,161  
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20<sup>th</sup> Floor  
New York, NY 10112  
Tel. 212-278-0400

# **EXHIBIT A**

to

**Renewed Petition to Withdraw Holding of Abandonment Based on Failure**

**to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)**

**Serial No. 10/560,200**

2692/72616-PCT-US

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ISK



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

COOPER & DUNHAM, LLP  
30 Rockefeller Plaza  
20th Floor  
NEW YORK NY 10112

In re Application of  
YU, Zengpin, et al.  
Application No.: 10/560,200  
PCT No.: PCT/US2004/019488  
Int. Filing Date: 18 June 2004  
Priority Date: 20 June 2003  
Docket No.: 2692/72616-PCT-US  
For: FULL-FIELD BREAST ULTRASOUND  
SYSTEM AND ARCHITECTURE

Resp Due 4-26-10

## DECISION

## ON PETITION UNDER

37 CFR 1.181

This is a decision in response to applicant's petition under 37 CFR 1.181, filed in the United States Patent and Trademark Office on 10 February 2010

**BACKGROUND**

On 24 March 2006, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating, *inter alia*, that additional claim fees, an oath or declaration in compliance with 37 CFR 1.497(a)-(b) and the surcharge for late filing of the search fee, examination fee or oath or declaration were required. The Notification was mailed to the address of record.

On 26 November 2007, the Office mailed Notification of Abandonment (Form PCT/DO/EO/909) indicating that the application went abandoned for failure to timely reply to the Notification of Missing Requirements mailed 24 March 2006.

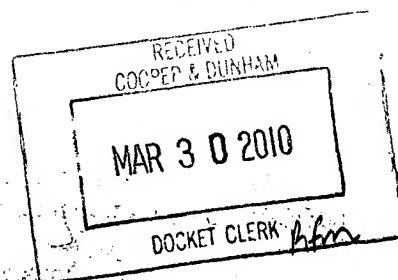
On 16 December 2009, applicants changed the address of record in this application.

On 10 February 2010, applicants filed this petition under 37 CFR 1.181.

**DISCUSSION**

The showing required to establish nonreceipt of an Office communication is set forth in MPEP 711.03(c). The showing must include: (1) a statement by the practitioner describing the system used for recording an Office action received at the correspondence address of record with the USPTO, (2) a statement from practitioner that the Office action was not received by the practitioner at the correspondence address of record; (3) a statement attesting that a search of practitioner's records including the file jacket or the equivalent and application contents, indicates that the Office action was not received; and (4) a copy of the docket record where the non-received Office action would have been entered had it been received (the docket record must also be referenced in practitioner's statement).

Items (1) and (3) have been satisfied.



Item (2) has not been satisfied. Applicant states that the documents bear the correct address for the firm at the time they were mailed. For clarification, when did the address of the firm change?

Item (4) has not been satisfied. The preferred evidence of nonreceipt of the Notification of Missing Requirements is the master docket report for the firm on the date on which a response to the Notification of Missing Requirements would have been docketed had it been received and docketed for response. In this case, the Office wants the master docket report for the firm for 24 May 2006. If this is not available, applicant must so state and provide the alternative information. The docket record for a single client or application is not sufficient.

### **CONCLUSION**

For the reasons set forth above, the petition under 37 CFR 1.181 is **DISMISSED** without prejudice.

The application remains **ABANDONED**.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Erin P. Thomson/

Erin P. Thomson  
Attorney Advisor  
PCT Legal Administration

Telephone: 571-272-3292

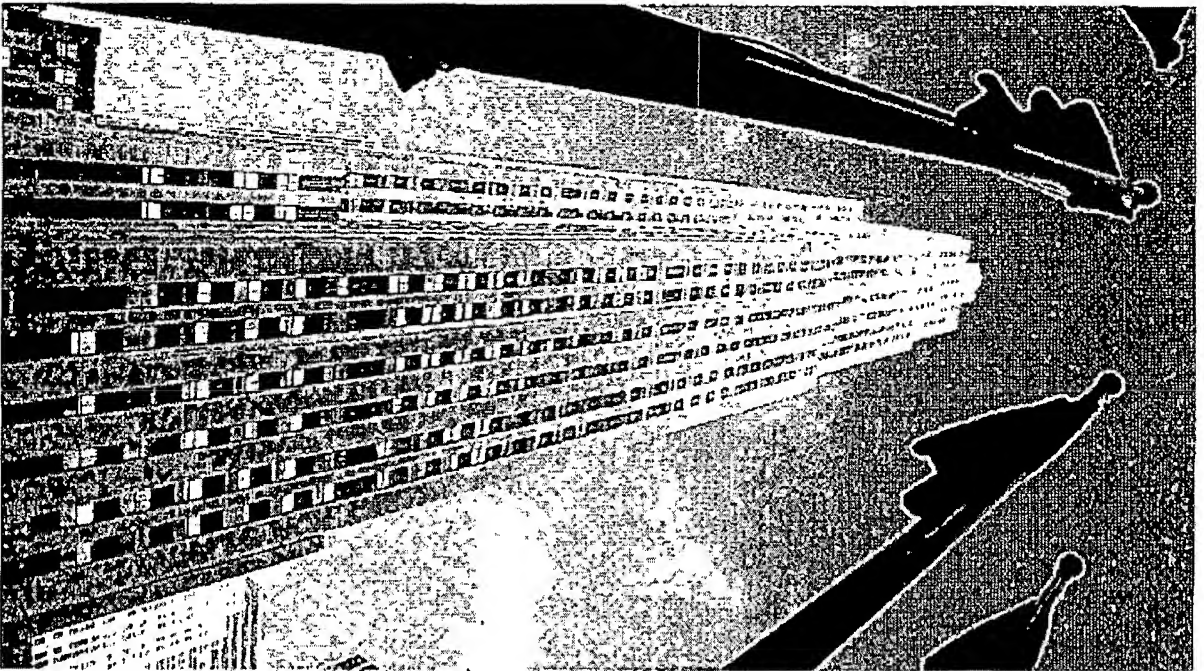
# **EXHIBIT B**

to

**Renewed Petition to Withdraw Holding of Abandonment Based on Failure**

**to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)**

**Serial No. 10/560,200**



# COOPER & DUNHAM LLP

IS PLEASED TO ANNOUNCE

THE RELOCATION OF ITS OFFICES

TO

30 ROCKEFELLER PLAZA

NEW YORK, NEW YORK 10112

TELEPHONE (212) 278-0400

FAX (212) 391-0525

AS OF NOVEMBER 24, 2008

[WWW.COOPERDUNHAM.COM](http://WWW.COOPERDUNHAM.COM)

FOUNDED 1887

# **EXHIBIT C**

to

**Renewed Petition to Withdraw Holding of Abandonment Based on Failure**

**to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)**

**Serial No. 10/560,200**



MAY242006B

## MASTER FILE REPORT

REPORTER

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23MY2006 14 56

PAGE: 1

Attorney Ctry	Agent Action C	Associate Due Action	Client Description	Docket No.
P CCD			2528	41973
USA	3ME	24MY2006	3RD MAINTENANCE FEE EXPIRATION	
P CCD			2269	64753
USA	BRF	24MY2006	BRIEF DUE	
P CCD			2528	75972
USA	IDS	24MY2006	INFORMATION DISCLOSURE STATEMENT	
P DSD	AT		1175	73025
USA	R14	24MY2006	1st OA - 4 MONTH RESPONSE DUE	
P LP	PT		2271	71043
USA	OA1	24MY2006	1st OA - 3 MONTH RESPONSE DUE	
P LP	PT		2271	71049-Z
USA	MPN	24MY2006	NOTICE OF MISSING PARTS DUE	
P LP			6424	
75337-PCT-EPO	EPC	ANN	24MY2006	ANNUITY
P LP	PT		6424	
75340-PCT-US	USA	MP1	24MY2006	NOTICE MISSING PARTS -
1st ext				
P LP			6424	75343
USA	R14	24MY2006	1st OA - 4 MONTH RESPONSE DUE	
P PJP	DM		0426	75815
USA	ASG	24MY2006	FILE ASSIGNMENT	
P PJP	DM		0426	75815
USA	IDS	24MY2006	INFORMATION DISCLOSURE STATEMENT	
P RDK	SD		6325	74522
USA	RVF	24MY2006	12mo FOREIGN FILING DEADLINE	

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23MY2006 14 55

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Attorney	Agent.Sp	Division	Docket No.	Associate.Sp
Action Due	Action	Description		Ctry Action C
				Trademark
T NHZ	EF			
		1871	63697	USA 815
24MY2006	SEC. 8&15	AFF. DUE		MEDIALAB & DESIGN
T PDM	JS			
		2257	71067	USA USX
24MY2006	EXT TO FILE USE			RC GATE
T PDM	JS			
		1287	73987-NZ	NEWZ OPX
24MY2006	OPPOSITION PERIOD EXPIRES			WHITE LIGHT

MAY242006B

# **EXHIBIT D**

to

**Renewed Petition to Withdraw Holding of Abandonment Based on Failure**

**to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)**

**Serial No. 10/560,200**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 4450  
Alexandria, Virginia 22313-1150  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/560,200	FIRST NAMED APPLICANT Zengpin Yu	ATTY. DOCKET NO. 2692/72616-PCT-US
Ivan S Kavrukov Cooper & Dunham 1185 Avenue of the Americas New York, NY 10036		INTERNATIONAL APPLICATION NO. PCT/US04/19488
		LA. FILING DATE 06/18/2004
		PRIORITY DATE 06/20/2003

**CONFIRMATION NO. 5507**  
**371 ABANDONMENT/TERMINATION**  
**LETTER**



Date Mailed: 11/26/2007

**NOTIFICATION OF ABANDONMENT**

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 03/24/2006 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

# **EXHIBIT E**

to

**Renewed Petition to Withdraw Holding of Abandonment Based on Failure**

**to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)**

**Serial No. 10/560,200**

MAY232006B

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REPORTERPCMASTER  
22MY2006 15 25

PAGE: 1

Attorney Ctry	Agent Action C	Associate Action Due	Client Description	Docket No.
P CCD	RSM		2500	66112
USA	R15	23MY2006	1st OA - 5 MONTH RESPONSE DUE	
P CCD	RSM		2528	75037
USA	FIL	23MY2006	9 MONTH PROVISIONAL CALL-UP	
P DSD	AT		2710	73461
USA	PUB	23MY2006	ESTIMATED PUBLICATION DT	
P GJG			7444	74695-PRO
USA	PR2	23MY2006	11mo U.S./FOREIGN FILING REMINDER	
P LP	PT		2692	63685-CIP-D
USA	PUB	23MY2006	ESTIMATED PUBLICATION DT	
P LP	PT		2271	65887-Z-A
USA	PUB	23MY2006	ESTIMATED PUBLICATION DT	
P LP	PT		2271	66846-Y
USA	PUB	23MY2006	ESTIMATED PUBLICATION DT	
P LP	PT		2271	68745
USA	OA2	23MY2006	2nd OA - 3 MONTH RESPONSE DUE	
P LP	PT		2271	71536
USA	PFE	23MY2006	PUBLICATION FEE DUE	
P LP	PT		2271	71536
USA	ISS	23MY2006	ISSUE FEE DUE	
P LP	PT		1141	72613
USA	OA1	23MY2006	1st OA - 3 MONTH RESPONSE DUE	
P LP	PT		2271	73399
USA	PUB	23MY2006	ESTIMATED PUBLICATION DT	
P LP	PT		1141	74937
USA	IDS	23MY2006	INFORMATION DISCLOSURE STATEMENT	
P NHZ	EF		1886	73382
USA	PUB	23MY2006	ESTIMATED PUBLICATION DT	
P NHZ	EF		1886	73463
USA	PUB	23MY2006	ESTIMATED PUBLICATION DT	
P RDK	SD		0392	25799-DB-Z
USA	FOA	23MY2006	RESPONSE TO FINAL REJ. - 3rd MO	
P RDK	SD		0208	
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P WEP	EB		7284	73990
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Attorney	Agent.Sp	Associate.Sp	Docket No.	Ctry	Action C
Action Due	Division	Description	Trademark		

MAY232006B

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T PDM	JS	0122	54084	USA	L85
23MY2006	8&15 GRACE PERIOD ENDS			PHAS	
T RBH	JO	6609	57297	USA	815
23MY2006	SEC. 8&15 AFF. DUE			SAFE N'	WELL

# **EXHIBIT F**

to

**Renewed Petition to Withdraw Holding of Abandonment Based on Failure**

**to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)**

**Serial No. 10/560,200**



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## MASTER FILE REPORT

REPORTER

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25MY2006 9 52

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P LP	RFJ		2692	63673
USA	1MR	25MY2006	1ST MAINTENANCE FEE REMINDER	
P LP			2692	65039
USA	1MR	25MY2006	1ST MAINTENANCE FEE REMINDER	
P RSM			2424	69640-Z
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P WEP	EB		7257	65378
USA	1MR	25MY2006	1ST MAINTENANCE FEE REMINDER	

## MASTER FILE REPORT

REPORTER

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25MY2006 10 25

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T NHZ	EF			
25MY2006	2703	23513	USA	RN6
CALIFORNIA	RENEWAL REMINDER		VEGETABLES	
T NHZ	EF			
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T NHZ	AFFIDAVIT DUE		COACH	
25MY2006	7162	64361-PT	PORT	AFF
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T NHZ	EF			
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T NHZ	EF			
25MY2006	7162	64361-PT	PORT	AFF
T NHZ	AFFIDAVIT DUE		COACH	
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T PDM	MUS		COACH	
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25MY2006	0340	73820	USA	OPX
TEA	OPPOSITION PERIOD EXPIRES		AMERICAN	CLASSIC
T RBH	JO			
	7215	75748	USA	OPX

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